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10:12:56 2 UNITED STATES DISTRICT COURT

10:12:56 3 SOUTHERN DISTRICT OF OHIO

10:12:56 4 WESTERN DIVISION

10:12:56 5 - - - - -

10:12:56 6 ESTATE OF ROGER D. :  
10:12:56 6 OWENSBY JR., et al., :  
10:12:56 7 Plaintiffs, :  
10:12:56 8 vs. : Case No. 01-CV-769  
10:12:56 8 : (Judge S. A. Spiegel)10:12:56 9 CITY OF CINCINNATI, :  
10:12:56 9 et al., :  
10:12:56 10 Defendants. :  
10:12:56 11 - - - - -10:12:56 12 Deposition of CHRISTOPHER CAMPBELL,  
10:12:56 13 defendant herein, called by the plaintiffs for  
10:12:56 14 cross-examination, pursuant to the Federal Rules of  
10:12:56 15 Civil Procedure, taken before me, Wendy Davies  
10:12:56 16 Welsh, a Registered Diplomate Reporter and Notary  
10:12:56 17 Public in and for the State of Ohio, at the offices  
10:12:56 18 of Helmer, Martins & Morgan Co. LPA, 1900 Fourth &  
10:12:56 19 Walnut Centre, 105 East Fourth Street, Cincinnati,  
10:12:56 20 Ohio, on Wednesday, December 3, 2003, at 2:31 p.m.

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14:45:57 1 A. Yes.

14:45:58 2 Q. Please continue.

14:45:59 3 A. I responded to the parking lot. As I was  
14:46:10 4 getting out I remember hearing a dispatcher tell us  
14:46:16 5 to code 4, which means that the situation was over.  
14:46:20 6 That was as I was exiting my vehicle. And it was at  
14:46:25 7 that time I saw Cincinnati officers moving a suspect  
14:46:29 8 towards Officer Heiland's car. And I advised -- I  
14:46:34 9 hadn't had a chance to advise that I was in the lot  
14:46:36 10 yet. And I advised I was clear on her information,  
14:46:39 11 but would be remaining there, because Cincinnati was  
14:46:42 12 putting their prisoner in one of our cars.

14:46:45 13 Q. When you say you advised her, who is the  
14:46:48 14 "her" you're referring to?

14:46:50 15 A. The Hamilton County dispatcher.

14:46:54 16 Q. What happened next?

14:46:57 17 A. I can't recall the details. We basically  
14:47:06 18 were waiting there for a Cincinnati officer to get  
14:47:11 19 their prisoner out of our car.

14:47:12 20 Q. Did you see the Cincinnati police officers  
14:47:16 21 physically put Mr. Owensby in Officer Heiland's car?

14:47:22 22 A. No, I didn't.

14:47:24 23 Q. Your attention was directed somewhere  
14:47:26 24 else?

15:14:30 1 Q. No, you had no understanding or no, you  
15:14:35 2 owed no duty?

15:14:37 3 A. No, I had no understanding.

15:14:40 4 Q. Do you recall whether or not you ever  
15:14:43 5 received any guidance from any superiors at Golf  
15:14:47 6 Manor as to what your obligations were if another  
15:14:51 7 police department placed a prisoner in your car?

15:14:56 8 A. I can't remember specifically.

15:15:00 9 Q. Do you recall any informal discussions  
15:15:02 10 with your superiors as to what your duties or  
15:15:05 11 responsibilities would be if they placed a prisoner,  
15:15:12 12 if another police department placed a prisoner in  
15:15:14 13 your car?

15:15:14 14 A. Not specifically.

15:15:17 15 Q. Let me ask you this: Do you have an  
15:15:21 16 understanding of what your responsibilities would be  
15:15:25 17 if an injured prisoner that was arrested by another  
15:15:31 18 police department was placed in your car, what your  
15:15:35 19 responsibilities would be to that injured prisoner?

15:15:39 20 A. Inside of their jurisdiction?

15:15:41 21 Q. Yes, sir.

15:15:42 22 A. My understanding is that that's their  
15:15:46 23 prisoner.

15:15:49 24 Q. If you saw that an injured prisoner was

15:28:19 1 Q. If Officer Brazile had said what I just  
 15:28:22 2 read to you from his deposition, based on your  
 15:28:27 3 training and your experience with Golf Manor, would  
 15:28:32 4 you feel that you had a duty to check on the  
 15:28:34 5 condition of Mr. Owensby?

15:28:36 6 MR. HARDIN: Objection.

15:28:37 7 MR. WEISENFELDER: Objection.

15:28:39 8 A. I would ask the city to check their  
 15:28:41 9 prisoner.

15:28:42 10 Q. In the time that you and Officer Heiland  
 15:28:46 11 were standing outside the car did either you or  
 15:28:51 12 Officer Heiland ever ask the city to check on the  
 15:28:54 13 prisoner?

15:28:55 14 A. No.

15:29:15 15 Q. Take a look at Exhibit 78, please.

15:29:51 16 Exhibit 78 is a mutual aid agreement between  
 15:29:57 17 Cincinnati and various municipalities in the greater  
 15:30:05 18 Cincinnati area. Have you had occasion to look at  
 15:30:08 19 that mutual aid agreement before today?

15:30:12 20 A. No.

15:30:13 21 Q. Have you ever received any instruction  
 15:30:14 22 from Golf Manor concerning the mutual aid agreement?

15:30:20 23 A. I can't remember specific instruction.

15:30:23 24 Q. Do you recall receiving any memos or any